IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:11ev297

WHY DRIVE 55, INC.,)	
Plaintiff,)	
v.)) ORI	<u>)ER</u>
BONNIE DUNCAN, et al.,)	
Defendants.)	
)	

Pending before the Court is Defendant Steven J. Allen's Motion to Dismiss [# 55]. After Defendant Allen moved to dismiss the Amended Complaint, the parties entered into a stipulation of dismissal as to Defendant Allen dismissing all the claims asserted against Defendant Allen with prejudice. Because Defendant Allen is no longer a party to this dispute, the Court **DENIES as moot** the Motion to Dismiss [# 55].

Signed: January 16, 2013

Dennis L. Howell

United States Magistrate Judge